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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/933,353	08/20/2001	In Hwan Choi	2080-3-22	7138

35884 7590 11/02/2004

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EXAMINER

PHILIPPE, GIMS S

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/933,353	Applicant(s) CHOI ET AL.	
	Examiner Gims S Philippe	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22-25 and 43-48 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 15, 16, 19, 26, 27, 36 and 37 is/are rejected.
- 7) ☒ Claim(s) 4-14, 17, 18, 20, 21, 28-35 and 38-42 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

This is a first action in response to application no. 09/933,353 filed on August 20, 2001 in which claims 1-48 are presented for examination.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 15-16, 19, 26-27, and 36-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Knutson et al. (US Patent no. 6,788,710).

Regarding claims 1-2, 15-16, 19, 26, and 36-37, Knutson discloses a VSB communication method and system comprising a VSB transmission system for multiplexing coded MPEG data and coded supplemental data having a null sequence inserted therein with multiplexing information included thereto according to supplemental data packets (See Knutson col. 3, lines 24-26, lines 60-65, col. 4, lines 13-25), and transmitting a multiplexed data field (See col. 4, lines 27-32); and a VSB reception system for detecting the required multiplexing information from the multiplexed data field (See Knutson col. 4, lines 45-50), decoding the multiplexed data field by using the null sequence and the detected multiplexing information, and

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demultiplexing the multiplexed data into the MPEG data and the supplemental data in response to the multiplexing information (See Knutson col. 5, lines 44-65).

As per claim 27, most of the limitations of this claim have been noted in the above rejection of claim 26. In addition, Knutson further provides supplemental data packets to Reed-Solomon coding for error correction (See col. 3, lines 23-31); inserting a null sequence into the Reed-Solomon coded supplemental data packets (See col. 4, lines 64-67, col. 5, lines 1-7); and adding the MPEG header to the supplemental data packets having the null sequence inserted therein to obtain the coded supplemental data packets (See col. 4, lines 33-44).

3. Claims 3-14, 17-18, 20-21, 28-35, 38-42 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 22-25, and 43-48 are allowed.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang (US Patent no. 6697098) teaches co-channel interference detector network for an HDTV receiver.

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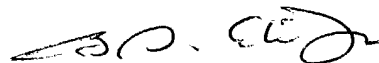
Citta et al. (US Patent no. 5602595) teaches ATV/MPEG sync system.

Lyons et al. (US Patent no. 5831690) teaches apparatus for formatting a packetized digital datastream suitable for conveying television information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gims S Philippe whose telephone number is (703) 305-1107. The examiner can normally be reached on M-F (9:30-7:00) Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S Kelley can be reached on (703) 305-4780. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Gims S Philippe
Primary Examiner
Art Unit 2613

GSP

October 22, 2004